FILED
JUL - 6 2016
U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
TERRY LYNN WALLER,)
Defendant.)

4:16CR292 JAR/DDN

INDICTMENT

COUNTS 1-3
Title 18, United States Code, Section 641 and Section 2
Theft of Government Property or Funds

The Grand Jury charges that:

BACKGROUND

1. At all times relevant to this indictment, defendant Terry Lynn Waller (Waller), a resident of St. Louis, Missouri, was not working or enrolled in college classes. At all times relevant to this indictment, Waller had no familial relationship to registered child care provider, J.H. By 2015, Waller had nine children.

Relevant Child Care Assistance Program Provisions

2. The Child Care and Development Block Grant Act provides federal block grants to states, territories, and tribes for child care assistance to low income families. The United States Department of Health and Human Services, Office of the Administration for Children and Families, administers the Child Care and Development Fund ("CCDF") at the federal level. The stated purpose of the CCDF is to enable low-income families to obtain and retain employment or the skills and education necessary to obtain employment.

3. The Missouri Department of Social Services ("DSS"), Family Support Division ("FSD"), is responsible for the Child Care and Development Program in Missouri. Missouri contributes to the child care assistance program through its Early Childhood and Development Fund and state general revenue.

7. During the period relevant to this indictment, defendant Waller submitted certified Child Care Application/Reapplication forms to the FSD office on three occasions.

8. The applicant for child care assistance is also interviewed as part of the application process. After the interview, an Interview Summary is generated, which the applicant must certify. The Interview Summary contains the applicant's contact information, the names of the children, and the stated child care need. By signing the Interview Summary, the applicant certifies that the answers he or she provided are true, accurate, and complete. During the period relevant to this indictment, defendant Waller submitted three certified Interview Summary forms to the FSD office.

Child Care Verification and Reimbursement

9. The FSD office requires verification of child care need. In general, verification requires proof of work or school schedule, and for college students, proof of financial aid. During the period relevant to this indictment, defendant Waller submitted proof of enrollment in college classes to the FSD office on five occasions.

10. During the period relevant to this indictment, defendant Waller signed and submitted one Child to Provider Relation form to the FSD office and provided copies of two birth certificates to the FSD office to verify a familial relationship with the FOL provider, J.H., when Waller knew her children had no such relationship.

11. Child care payments totaling $115,751.11 were made on the behalf of Waller's nine children during the service months May 2011 to November 2014 and from March 2015 to July 2015.

DESCRIPTION OF FRAUD

12. Beginning in or about May 2011 and continuing to in or about February 2015, defendant Waller knowingly submitted false documents, including class schedules, as proof of

Eligibility

4. Each state administering child care assistance programs, under a federal CCDF grant, determines the eligibility requirements for families within the state. To be eligible for the Missouri Child Care Assistance program, applicants must be low-income, have children, and be working, disabled, or enrolled in qualified education or job training programs. When an individual is found eligible for the child care assistance program, DSS will provide financial assistance by paying the full or partial child care costs.

Child Care Providers

5. Child care providers must register with the state in order to receive payment through the Child Care Assistance program. In Missouri, a registered Four-Or-Less ("FOL") provider may care for no more than four children who are not related to the provider. There is no limit on the number of children if the children are related to the provider. A parent or child care provider must complete and sign a Child to Provider Relation form to establish a familial relationship and provide verification, upon request.

Application for Child Care Assistance

6. To receive child care assistance, the applicant must submit an application, in-person, online, or by mail, to a local FSD office. During the application process, the applicant completes and signs a Child Care Application or a Child Care Reapplication/ Review Form. The applicant must provide his or her contact information, the names of the children, the names and addresses of the child care providers, and the need for child care. By signing the Child Care Application or Child Care Reapplication/Review Form, the applicant certifies that the answers he or she provided are true, correct, and complete, that the applicant agrees to provide additional verification or information as requested, and that the applicant understands his or her statements are subject to investigation and verification.

her enrollment in college courses. Waller knew at the time she submitted the false documents that she was not enrolled at St. Louis Community College - Forest Park or any other school. Some of these false documents are described below.

St. Louis Community College

13. Records reflect that defendant Waller was never a student at St. Louis Community College - Forest Park. On or about the dates indicated below, Waller submitted to FSD false and fraudulent documents as proof of her need for child care:

Date	**Type of Document**	**False Statement**
May 4, 2011	Certified Child Care Application	Child care need: "Attends school" at "Forest Park"
May 4, 2011	Class schedule - Forest Park	Four courses: April-August 2011
April 20, 2012	Certified Interview Summary	Child care need: "College"
April 20, 2012	Class schedule - Forest Park	Four courses: April-December 2012
February 6, 2013	Certified Interview Summary	Child care need: "College"
February 6, 2013	Class schedule - Forest Park	Two courses: May-September 2013
August 28, 2013	Student Schedule/ Bill Credit	Four courses: August-December 2013
August 28, 2013	Class schedule - Forest Park	Two courses: Nov. 2013- June 2014
January 10, 2014	Certified Child Care Reapplication form	Child care need: "attending school" at "Forest Park"
January 10, 2014	Certified Interview Summary	Child care need: "College"
January 10, 2014	Class schedule - Forest Park	Two courses: June-December 2014
February 9, 2015	Certified Child Care Application	Child care need: "college classes" at "Forest Park"

14. On about the dates listed below, within the Eastern District of Missouri,

TERRY LYNN WALLER,

the defendant herein, did embezzle, steal, purloin, and knowingly convert to her use money and items of the United States and of any department or agency thereof, and any property made or being made under contract for the United States and any department or agency thereof, to wit: government funds, in excess of $1000, in the amounts listed below:

COUNT	SERVICE DATES	PAID AMOUNT
1	July 2011	$1890.35
2	July 2012	$2787.60
3	November 2013	$2088.85

In violation of Title 18, United States Code, Section 641 and Section 2.

COUNT 4
Title 18, United States Code, Section 1028(a)(1) and Section 2
Identity Theft

The Grand Jury further charges that:

15. Paragraphs 1 through 11 are incorporated by reference as if fully set out herein.

16. On or about March 21, 2013, an FSD eligibility specialist requested verification of a familial relationship between Waller and FOL child care provider J.H.

17. On or about April 2, 2013, Waller presented to the FSD eligibility specialist two birth certificates, one for Waller and one for J.H. Waller's birth certificate had no biological father listed on the birth certificate. As there was no in-common parent between Waller and J.H, authorization for J.H. to provide care for Waller's children was terminated.

18. On or about April 11, 2013, Waller submitted to the FSD office a forged birth certificate for Waller that listed "Luther Hogans" as Waller's biological father, the same biological father as indicated on the birth certificate of J.H. The forged birth certificate also

carried the name and signature of the State Registrar of Vital Statistics, Ivra J. Cross. The Missouri Department of Health and Senior Services Bureau verified that the forged birth certificate was not an authentic document, and the original, certified copy of Waller's birth certificate does not list Luther Hogans as Waller's father.

19. On or about April 11, 2013, within the Eastern District of Missouri,

TERRY LYNN WALLER,

the defendant herein, did knowingly and without legal authority, produce an identification document, authentication feature, and false identification document, that is, she used the name of Ivra J. Cross, the State Registrar of Vital Statistics, and Cross's signature on a fraudulent birth certificate to verify a familial relationship for the purposes of obtaining child care that she was not eligible to receive under the Child Care Assistance Program.

All in violation of Title 18, United States Code, Sections 1028(a)(1) and 2.

A TRUE BILL.

FOREPERSON

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